

REMARKS:

In response to the office action dated 19 August 2004, Applicant has amended claims 1 – 3 and 6 – 10, and added new claims 11 – 15. Claims 4 and 5 were previously cancelled. Claims 1 – 3 and 6 – 15 are currently pending in the application.

The drawings were objected to for various formal reasons. Applicant has submitted new drawings that are believed to address all such issues. In particular, Figures 40 and 41 have been renumbered to eliminate duplicate numbering. An abstract has been provided as required by the examiner.

Method claims have been added, so the title is now believed to be correct. The specification has been amended (pp. 102 and 103) to address the issues raised by the examiner in §4 of the office action, and to make them consistent with the revised drawing figures 40 and 41.

Applicant believes that the above amendments to the claims overcome all of the objections to the claims on formal grounds. In particular, claim 1 contained an erroneous description of the cage control sensor and the at least two lay-flat sensors. The above amendments are believed to correct this problem.

In paragraph 9 of the office action, 1-3 and 6-10 were rejected as failing to comply with the written description requirement. Claim 1 is not restricted to either a single or multiple systems for the “controller”, but covers a device or devices that accomplish the control function. As described at page 106, lines 22 – 28 of the specification, and page 119, line 29 – page 120, line 7 as well, the various control systems operate in concert to effect the operational objectives of

the invention. This provides the necessary support for the controller member, including executable program instructions, as provided for in the claim.

Claims 6 and 7 were rejected over the language “predetermined set point”. Applicant believes that this term is adequately supported by the specification, which uses the terms target size, operator set point and predetermined set point synonymously. As described at, for example, page 123, lines 11-12, setting the target size is the same as setting the set point. The set point, or operator set point, is the desired size of the extruded material, as further discussed pages 111, line 17 – page 112, line 8, and pages 126-128, which describes operation of the system using the set point.

Claims 6, 7, and 10 were rejected as being indefinite. The amendments above are believed to overcome such rejection. In addition, as described above, the set point terminology is supported by the specification.

Regarding claim 7, the large and small distances are relative, and depend on the material being extruded, as described in the specification. A preferred embodiment is described, for example, at page 111, line 30 – page 112, line 6, in which the dividing line between the two is defined as one-half the distance of the lay flat controller window. As will be appreciated by those skilled in the art, different ranges can be used if desired, but this definition is representative of the understanding of the claim scope. This is further supported by the specification at page 119, lines 15 – 24.

Regarding claim 10, the examiner properly noted an error in the claim language. This has been corrected by the above amendments, which clarify that

the sizing control system predominates over the lay flat system during forecast mode operation. This is described in the specification at, for example, page 97, lines 10 – 24, page 100, lines 6 – 11, and page 120, line 23 – page 121, line 4.

Claims 1 – 3 and 6 – 9 were rejected over the Applicant's prior patent 5,525,277 under §102. Such rejection is respectfully traversed.

Applicant believes that the scope of the claims may have been misunderstood before the corrections set forth in the above amendments. As noted by the examiner, the at least two sensors are used for the lay flat feature, with the separate at least one sensor used for cage control. The cited reference does not have the lay flat sensors at all, as it has no lay flat function. Further, the sensor used in the cited reference is not controlled to automatically adjust the cage as described and claimed herein. Now that the structural issues with the claims have been corrected, Applicant believes it to be more clear that the claimed system, and method of the newly added claims, is quite different form, and distinguishable over, the cited reference.

For the reasons set forth above, Applicant believes that the objections and rejections set forth in the office action have been overcome. Applicant therefore respectfully requests reconsideration and allowance of the application.

If the examiner has any questions regarding the above amendments or discussion, the examiner is respectfully requested to contact the undersigned attorney in an attempt to move the present application to an allowable status.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'K. Hill', with a stylized flourish at the end.

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IN THE DRAWINGS

Applicant includes with this response a complete set of clean drawings. These drawings have been marked "Replacement Sheet" in the top margin. These drawings have been revised to correct errors pointed out by the examiner, including mis-numbering of various elements. The numbering of elements in Figures 40 and 41 have been corrected, and corresponding corrections are being made to the specification.